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ABSTRACT

A booklet for limited English speakers on dealing with consumer problems provides information on talking to businesses, getting someone on your side, going to the law, and stopping problems before they start. Cartoons, questions about the message in cartoons and narrative passages, checklists on things to consider, and the phonetic pronunciation of key words are presented. Specific topics include the following: (1) communicating with business about a consumer problem by visiting a store in person, telephoning, and writing a letter; (2) getting help from local and state government agencies that help consumers, business groups, and private consumer groups; (3) taking the complaint to a small claims court, going to court, and getting the money; and (4) contacting legal services for some problems. Definitions are provided for legal terms. Situations where problems can be avoided are described. (SW)

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So You Need Action!

by

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DRESS FOR LESS

REPAIRS WITHOUT RIP-OFFS

SO YOU WANT TO BUY A CAR?

BUYING ON CREDIT

HELP YOURSELF TO HEALTH CARE

GOOD SENSE WITH OUR DOLLARS

RENTING IT RIGHT

BUYING FOR KEEPS

SO YOU NEED ACTION!

For So You Need Action!:
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Introduction

EVE'S PROBLEM

I'M GLAD THAT I BOUGHT THAT NEW HAIR DRYER. I CAN DRY MY HAIR QUICKLY. I WON'T BE LATE TO WORK.
BANG!
BZZZT!
OH, NO! MY NEW HAIR DRYER!
SSSSS
I'VE ONLY HAD IT FOR A MONTH! THERE SHOULDN'T BE ANYTHING WRONG WITH IT!
WHAT AM I GOING TO DO?

Eve's new hair dryer won't work. What should Eve do?

___ A. Go buy another hair dryer.

___ B. Take the dryer back to the store where she bought it.

___ C. Try to fix the hair dryer.

___ D. **Complain** (cŏm PLĀN) to the company that made the hair dryer.

___ E. Take the hair dryer to a "fix-it" shop.

___ F. Write a letter to the "Action Line" column in the newspaper.

___ G. Other _____

Many people like Eve have **consumer** (cŏn SŪ mĕr) problems. They are not happy with something that they have bought. They think that they have been charged too much money. Or they don't get something that they have paid for. There are many kinds of consumer problems.

Many times unhappy consumers complain. That means they tell businesses that they are mad or unhappy about a product or service. They tell the business what it can do to make them happy. They take action when they have a consumer problem.

Here are the things that consumer complain about most. Have you ever had problems with any of these things?

Have you ever had a problem with a car you bought? With repair work on your car?
☐ NO ☐ YES

What was the problem? _____

_____

What did you do about it? _____

_____

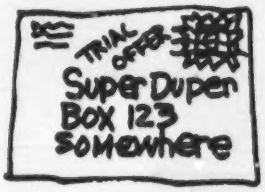
Have you ever had a problem with something that you ordered by mail?
☐ NO ☐ YES

What was the problem? _____

_____

What did you do about it? _____

_____



Have you ever had a problem with credit? With a bank? ☐ NO ☐ YES

What was the problem? _____

_____

What did you do about it? _____

_____

Have you ever had a problem with an appliance? ☐ NO ☐ YES

What was the problem? _____

_____

What did you do about it? _____

_____

Have you ever had a problem with insurance?
☐ NO ☐ YES

What was the problem? _____

_____

What did you do about it? _____

_____

Have you ever had a problem with food that you bought? ☐ NO ☐ YES

What was the problem? _____

_____

What did you do about it? _____

_____

Have you ever had a problem with furniture that you bought? With something else for your home? ☐ NO ☐ YES

What was the problem? _____

_____

What did you do about it? _____

_____

Have you ever had a housing problem?
☐ NO ☐ YES

What was the problem? _____

_____

What did you do about it? _____

_____

Have you ever had a problem ordering a magazine or newspaper? Ordering from a book or record club? ☐ NO ☐ YES

What was the problem? _____

_____

What did you do about it? _____

_____

Have you ever had a problem with a radio, TV or stereo? ☐ NO ☐ YES

What was the problem? _____

_____

What did you do about it? _____

_____

Many people don't complain when they have a problem. They don't complain when they get ripped off. Are you like one of these people?

Bill doesn't know what his rights are.

Sue is too shy to complain.

Jose is too busy to complain.

Max thinks that it is too hard to explain.

Wanda is afraid to complain.

Vinnie does not know where to turn for help.

How about you?

Which one of these people are you most like? _____

If you have a problem, do you complain:

☐ Usually ☐ Sometimes ☐ Never

This workbook will help you take action when you have a problem. It will teach you how to complain about consumer problems. It will show you who can help you solve your problem. You will also learn how you can keep from having consumer problems.

Chapter 1

TALKING TO BUSINESS

Remember the story on page 3 of this workbook? Eve's new hair dryer would not work. She did not know what to do. What did you think that she should do? Did you think that she should take the hair dryer back to the store where she bought it? If so, you are right.

If you have a problem with a business, tell the business about the problem. Many consumer problems can be solved this way. Most businesses want people to keep buying from them. They want happy customers. Businesses don't want to sell things that don't work. They don't want people to get bills that are wrong. But the people who work for businesses are just like everybody else. Sometimes they make mistakes. So it is good when consumers complain. It is part of being a good consumer.

Sometimes it is best to visit a store in person.

Sometimes it is easier to use the telphone.

Sometimes you may solve your problem by writing a letter.

This chapter will show you how to talk back to a store or a company — and how to get results.

GETTING IT ALL TOGETHER

Think of a product you bought recently. Pretend that you have some problem with this product. You want to take action. You want to complain. But how will you prove that you are right?

First, get the facts together. Get together any papers that tell about your problem. Papers will help you explain what is wrong. Papers can help you prove your case.

Here are some kinds of papers that can help you complain.

Sales receipts (rē SĒTS)
A receipt tells where and when you bought something.

Bills
A bill tells what a company says you owe.

Instructions (ĭn STRŬK shŭns)
These tell how something works. They tell how you should care for something. Some products come with instruction books. Other products have instructions on hang tags or labels.

Warranties (WĂR rĕn tēēs)
A warranty is most often a promise in writing. It is made by the company that makes a product. It tells what the company will do if something goes wrong with the product.

Letters
Letters show what you have written to a business, and what a business has written to you.

Cancelled checks
Your cancelled check shows that you have paid money to a person or business.

Contracts (KŎN trăkts)
A contract is an agreement to buy a product or service.

TEST YOURSELF

Complete each sentence by writing in the right word or words.

1. A _____ proves that you paid for a product or service.
2. A _____ tells what a company says that you owe.
3. A _____ tells what a company will do if something goes wrong with its product.
4. A _____ proves that you bought something from a store on a certain date.

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GOING BACK TO THE STORE

Remember the story of Eve's new hair dryer. It wouldn't work right. Let's see what happens when Eve takes it back to the store.

Before she goes to the store, Eve gets her papers together. She was smart. She has a sales receipt. The receipt shows that she bought the hair dryer at K & O's Department Store. It shows that she bought the hair dryer last month.

Eve also gets her warranty for the hair dryer. The warranty says that the hair dryer is guaranteed for one year. Eve also gets her hair dryer. She wants to return it to the store.

Eve goes to K & O's. She takes all of the papers and her hair dryer with her. She goes to the department where she bought the hair dryer. She tells a salesclerk about her problem. She shows the salesclerk the hair dryer, the sales receipt, and the warranty. Eve says that she wants to return the hair dryer. She wants the store to give her a new hair dryer. She is polite. She does not get mad.

The salesclerk says that Eve can return the hairdryer. If she wants a new hair dryer, the store will give her one. It will not cost Eve any money. If she does not want a new dryer, the store will give Eve her money back.

Eve wants a new hair dryer. Eve gives the salesclerk the hair dryer that doesn't work. She takes the new one home. She is happy. She is glad she went to the store to complain. She has solved her problem by going back to the store where she bought the hair dryer.

Think about the story you have just read. Have you ever taken something back to a store? Tell how to return a product, by writing DO or DON'T at the beginning of each sentence.

1. _____ take with you the product you bought.
2. _____ take with you your sales receipt and other papers.
3. _____ get angry.
4. _____ explain your problem clearly.
5. _____ tell the salesclerk what you want the store to do about your problem.
6. _____ return the product when the store is very busy or about to close.
7. _____ get a receipt from the salesclerk if you leave something to be repaired.
8. _____ ask to see the manager of the department if the salesclerk can't help you.

Eve's friend Mike bought a hair dryer just like Eve's. He bought it at a discount store. He paid less for the dryer than Eve did.

Mike also had trouble with his hair dryer. It wouldn't work right. But the discount store told Mike that it does not take things back. Each store decides what it will do about returns. The discount store told Mike to return the hair dryer to the manufacturer. The manufacturer is the company that made it.

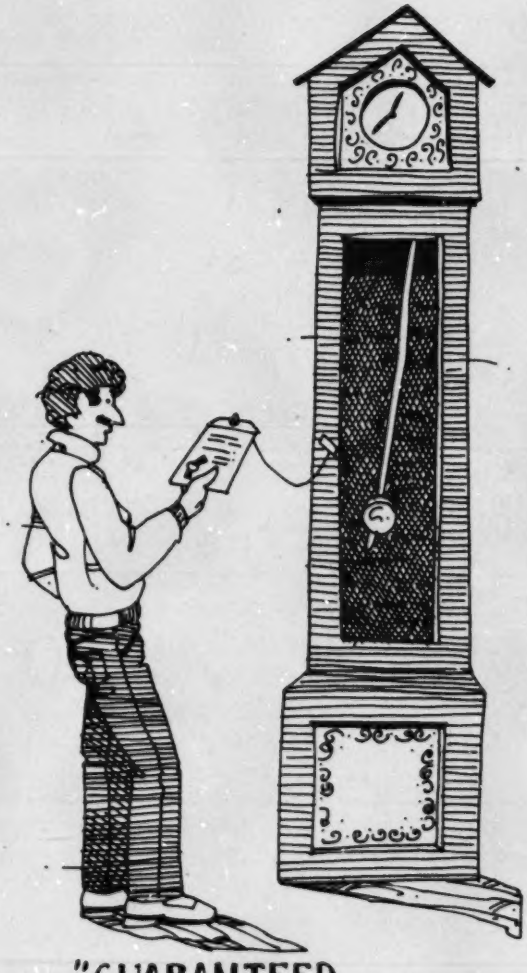
Mike still had the box that the hair dryer came in. A warranty was printed on the box. The warranty said that the hair dryer was guaranteed for one year. If there was a problem, the company would repair or replace the hair dryer. There would not be any charge. The manufacturer has a repair service that fixes hair dryers. The address of the repair service was on the box.

The repair service was in another state. Mike had to mail the hair dryer to the repair service. He put the hair dryer in its box. He put this box in a sturdy carton, and packed it carefully.

He wrote a letter telling what was wrong with the hair dryer. He put it in an envelope. He taped the envelope to the outside of the package so it would not fall off.

Mike went to the post office. He had to buy a stamp for the letter. He had to pay postage for the package. He had to pay to insure the package for $20. If the package was lost in the mail, the post office would pay him $20.

It was a lot of trouble for Mike to return the hair dryer. It cost him money for postage. He had to wait a month. Then the manufacturer sent him back his hair dryer. It worked OK now. Mike was happy at last.



USING THE TELEPHONE

Sometimes you can't go back to a store. Sometimes you don't need to. A telephone call can settle your problem. It's easy — if you know how. Here's how to do it!

1. Get organized. Think about what you want to say. Get together any papers that you need to explain your problem.
2. Find the store's telephone number. Use your telephone book for a local store number.
3. Talk to someone at the store who can help you. Don't expect it to be the first person who answers the phone. Start with the department where you bought the product. The store telephone operator may switch you to a special complaint department. Ask for the credit department if your problem is with a bill. Ask the name of the person you are speaking with. Write the name down. If you have to call again, ask for the same person. If one person can't help you, ask to speak to someone who can. Don't give up easily.
4. Explain your problem clearly. Be polite. Don't get angry. Listen to what the other person says. Maybe you made a mistake. Maybe you did not understand something. Tell what you want the company to do about your problem.
5. Some big companies have special toll-free numbers for their customers. These numbers begin with 800. There is no charge to you for calling an 800 number. When you have trouble with a product, check the instructions that came with it. See if there is an 800 number that consumers can call.

PUT IT DOWN IN WRITING

It's easy to write a complaint letter. Just follow these steps. Check off (✓) each step when you have read it.

____ 1. Get organized. Use a piece of scratch paper. Write down the facts of your case. Tell what you bought. Tell when and where you bought it. Tell what is wrong. Tell what you want. Do you want a refund? Do you want to exchange something? Do you want something repaired? Do you want a mistake in your bill fixed? When you have finished writing your letter, put it aside.

____ 2. Next day read your letter. Have you put in all the important facts? Did you tell how mad you are or how bad you feel? Now you have had time to "cool off." Leave in only the facts. Take out everything about your feelings.

____ 3. Get the right name and address. Check the product itself or the instruction book with it. If you are writing to a local company, be sure that you have the right name, street address and zip code for the company. If it is not a local company in your town, check with your local library for the name and address of the company. The librarian can tell you the address of the company, and the name of its president. You can send your letter to the president. Or you can send it to the "Customer Services Department."

____ 4. Copy your letter on a plain white piece of paper. Make sure it is neat. The handwriting should be easy to read. You want your letter to look "business-like."

____ 5. Tell who you are. Put in your full name, address and telephone number. Also tell your account number if you have a charge account.

____ 6. Be sure to make a copy of the letter for yourself. Make copies of sales receipts and other important papers. Post offices and libraries have copy machines. You can make copies for a few cents for each page.

____ 7. Send copies of sales receipts, etc. along with your letter. Keep the originals yourself.

____ 8. If you don't get an answer to your letter in a few weeks, write again. Be sure to send a copy of your first letter with your second one.

Here is one kind of complaint letter.

Cool Clothes Shop
56 East 17th Street
Anytown, Anystate

Dear Cool Clothes Shop:

Boy am I mad! You sold me a no-good suit. The pants ripped the first time that I wore it. Now I can't wear the suit. I'm never coming in your store again! You guys are a bunch of crooks!

Your ex-customer,

Freddie Fox

Freddie Fox

Here are some statements about this complaint letter. Circle T for each statement that is true. Circle F for each statement that is false.

1. Mr. Fox is angry. T F
2. Mr. Fox says that he bought a suit at the Cool Clothes Shop. T F
3. Mr. Fox wants the store to give him a new pair of pants. T F
4. Mr. Fox sends a copy of the sales receipt to prove when he bought the suit. T F
5. Mr. Fox says that he will not come to the store again. T F
6. Mr. Fox tells the store how to reach him by phone or letter. T F
7. Mr. Fox wants the store to give him a new suit. T F
8. Mr. Fox has written a good complaint letter. T F

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Now here is another kind of complaint letter.

Luisa Miller
12 Martin Lane
Anytown, Anystate
412/601-7332
Account No. 7475002
May 12, 1979

The Town Shop
Maple Street
Small Town, Anystate

Dear Sir:

On April 15th, 1979, I ordered a brown dress, size 10, from your catalog. The dress was item 12G on p. 14 of your catalog. I am sending a copy of the sales receipt.

When the dress came, the belt was missing. Please send me the belt for the dress.

Sincerely,

Luisa Miller

Luisa Miller

Answer these questions about the letter.

1. Who wrote the letter? _____
2. How will the store know how to get in touch with her? _____

_____

3. What did she buy from the store? _____
4. When did she buy from the store? _____
5. What is her complaint? _____
6. What does she want the store to do? _____
7. What does she send with her letter? _____

Who wrote the best complaint letter? Freddie Fox or Luisa Miller? _____

Now, you write a complaint letter. Here are the facts, but they are mixed up. Put the sentences in the right order. Then copy them on the lines below.

The black spots were not there before the carpets were cleaned.

I will not pay my bill until the spots are taken out.

On October 3, 1979, you cleaned my carpets.

Please tell me right away when you will clean my carpets.

When the carpets dried, they had black spots on them.

I want you to clean the carpets again at no charge.

(Your Name) _____

(Your Address) _____

_____

(Date) _____

Like-New Carpet Cleaners
King Street
Anytown, Anystate

Dear Sir:

_____

_____

_____

_____

_____

_____

_____

Sincerely,

(Your Name)

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Chapter 2

GETTING SOMEONE ON YOUR SIDE

Some problems can't be solved by talking back to business. Sometimes you need to have someone on your side.

But who can help you? Where can you go?

This chapter will help you find some answers to these questions.

You can take your complaint to **government.** After all, your tax dollars pay for federal, state and local government. Governments provide services for consumers.

You can take your complaint to **business groups.** These are formed by businesses to help consumers.

You can take your complaint to **private consumer groups.** They know how to complain. They can often solve a problem just by being on your side.

Before you ask for help

Get organized. Get together the facts of your case: names, dates, addresses, etc. Collect all important papers like letters, bills, sales receipts, labels, etc. Take them with you when you go to complain. They will help you explain your problem. They will show what you have done to solve it.

TRY A LOCAL CONSUMER AGENCY

Your city or county government may have a specific office or **agency** (Ā jěn sē) that helps consumers. A local consumer agency is a good place to go first. Here are some reasons why:

1. You can go there in person. You can explain your problem. You can ask for information. You can get help filling out forms.
2. The local consumer agency knows about local businesses. It also knows about local laws. Each city or county has its own laws. The local consumer agency can tell you about your rights. It can tell you how local laws apply to your problem.

Is there a local consumer agency where you could go for help?

Look in the white pages of your telephone book. Look under "(NAME OF YOUR CITY OR COUNTY), GOVERNMENT OF." Look for an agency with "consumer" in its name. It might be the Office of Consumer Affairs. It might be the Department of Consumer Protection. Copy the name, address and phone number of your local consumer agency.

Name _____

Address _____

Phone number _____

Call or visit your local consumer agency. What does it do to help consumers like you?

_____

_____

_____

_____

_____

_____

TRY A STATE CONSUMER AGENCY

If you don't have a local consumer agency, try a state agency. Usually the state consumer agency is in the Office of the Attorney General. If your problem is with a company in your state, maybe your state consumer agency can help you. If your problem is with a company in another state, then your state agency can tell you where to take your complaint. Each state makes its own laws. It has its own programs to help consumers.

Find out about your state consumer agency

Look in the white pages of your telephone book. Look under "(NAME OF YOUR STATE) STATE OFFICES." Find the listing for Attorney General. Is a Consumer Protection Office listed? Is there an Office near you? Is there a special "hotline" telephone number that you can call?

Name of state agency _____

_____

Address of office nearest you _____

_____

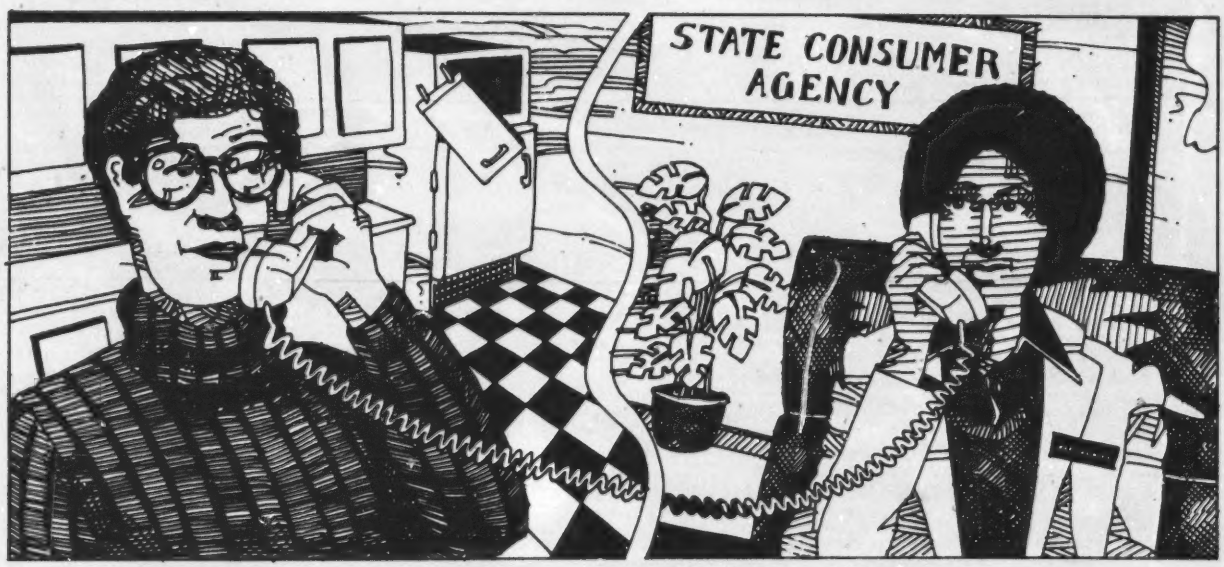
Phone number _____

Call or visit your state consumer agency. What does it do to help consumers like you?

_____

_____

_____



TRY A BUSINESS GROUP

One business group is the Better Business Bureau. There are Better Business Bureaus in many cities. They keep records of consumer complaints. They look into cases where businesses mislead and trick consumers.

If you have a problem, you can go to the Better Business Bureau. You can make a written complaint. The Better Business Bureau will tell the company about your complaint. They will try to help you to solve your problem.

Better Business Bureaus don't handle complaints about prices. They don't give legal advice. If they can't solve your problem, they can tell you where else to go for help.

Is there a Better Business Bureau where you live?

Look in the white pages of your telephone book. Look for the Better Business Bureau. Copy the address and telephone number.

Address of Better Business Bureau _____

_____

Telephone number _____

Call or visit the Better Business Bureau. What does it do to help consumers like you?

_____

_____

_____

If there is no Better Business Bureau where you live, call the Chamber of Commerce.

Telephone number of Chamber of Commerce: _____

Ask if the Chamber of Commerce has a program for consumer complaints. What do they do to help consumers like you?

_____

_____

_____

TRY A PRIVATE CONSUMER GROUP

There are private groups that help consumers. These groups are not run by business or government. Many are run by consumers who **volunteer** (vŏl ŭn TEER) their time. Volunteers are people who work without pay.

Many newspapers have "Help" or "Action Line" columns. They try to help consumers solve problems. The newspaper prints some complaints. It tells what was done to solve the problems.

Does your newspaper have an "Action Line" column? ☐ NO ☐ YES

If it does, clip the column from a newspaper. Fasten it on this page.

Many radio and TV stations help consumers. They take complaints. They will try to work out an agreement between a consumer and a company. They tell about the complaints on the air.

Does a radio or TV station where you live have this service? ☐ NO ☐ YES

If YES, what is the name of the station?

_____

What is the station's telephone number?

_____

How do you make a complaint?

_____

Write down any other private consumer groups that you could complain to.

_____

_____

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Chapter 3

GOING TO THE LAW

"I'm mad enough to sue!" Have you ever heard someone say that? Have you ever said that yourself?

You probably think ordinary people can't ask a court to solve their problems. It's too hard. It costs too much. You have to have a lawyer.

Is that what you told yourself? Well — you were wrong. There is a court that can help you and other consumers. It's a small claims court.

What's a small claims court?

It is a court where you can sue if you believe that money is owed to you.

It's not much like the courts that you see on TV. There's no jury. A judge hears and decides the case. You don't need help from a lawyer. You can tell your own story, without a lawyer. The court is quite informal. There are no fancy rules.

A small claims court hears cases about "small" amounts of money. Each state makes its own rules about its small claims courts. In one state you might be able to sue for claims up to $500. In another state you might only be able to sue for claims of $300 or less.

Now what do you know about a small claims court?

Circle T if a sentence is true. Circle F if a sentence is false.

1. You can sue in a small claims court if you believe someone owes you money. T F
2. The judge decides cases in a small claims court. T F
3. You need a lawyer to speak for you in a small claims court. T F
4. The rules about a small claims court are the same in all states. T F

SOME WORDS YOU SHOULD KNOW

Plaintiff (PLĀN tĭff) — That's you. If you sue someone, you are called the plaintiff. It's like the word complain. You are complaining that someone owes you money.

Claimant (KLĀM ănt) — that's you again. Sometimes this word is used instead of plaintiff. You are claiming that someone owes you money.

Defendant (dē FĔND ănt) — that's the person or business that you are suing. You claim that the defendant owes you money. Defendants must defend themselves.

Attorney (ə TŬR nē) — that's a lawyer. You don't need an attorney in small claims court.

Filing fee (FĪ lĭng fē) — that's money that you pay when you file suit against someone.

Summons (SŬM ŭnz) — that's a paper. It tells someone to come to court on a certain day. The defendant is sent a summons. The summons tells the defendant to come to court for trial. A summons can be sent out by mail. It can be delivered by a person.

Settlement (SĔT 'l mĕnt) — that's an agreement between plaintiff and defendant. It is made "out of court." You may settle before or during the trial. When a settlement happens, the trial is over.

Judgment (JŬJ mĕnt) — that's what the judge decides. It is the court's way of solving your problem.

Do you know these words?

Fill in the blanks with the missing word. Use these words:

plaintiff defendant summons attorney settlement judgment

1. You don't need an _____ to talk for you in small claims court.
2. When you file suit, you are called the _____.
3. The _____ is the one that is being sued.
4. A _____ tells a person to appear in court on a certain day.
5. A _____ is an agreement made "out of court."
6. A _____ is made by a judge.

DO YOU NEED A SMALL CLAIMS COURT?

Now you know what a small claims court is. But you may wonder: When would I need to go to court?

When you have a consumer problem, ask yourself these questions. They will help you decide whether to go to small claims court.

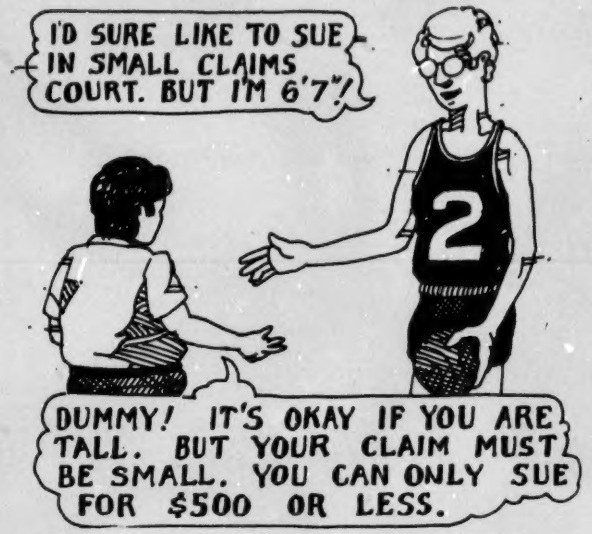
1. Have you tried to settle the problem?
☐ NO ☐ YES

Don't go to court unless you can answer YES. You must try to settle your problem with the business. You should write to them. If you do not get an answer, write again. If you have to write more than twice, and your problem is still not solved, write another letter. This time, say that you will go to court unless the problem is settled. Keep copies of all of your letters.

2. Is there a court where you can sue?
☐ NO ☐ YES

Each state has different courts. Each state makes its own rules. Most states have some kind of small claims court. The court may be called by another name.

You must also find a court in the right town. Usually you must sue where the defendant lives or does business. Remember, you are the plaintiff. The defendant is the person or company that you are suing.


I'D SURE LIKE TO SUE IN SMALL CLAIMS COURT. BUT I'M 6'7"!
2
DUMMY! IT'S OKAY IF YOU ARE TALL. BUT YOUR CLAIM MUST BE SMALL. YOU CAN ONLY SUE FOR $500 OR LESS.

3. Is it worthwhile for you to go to court?
☐ NO ☐ YES

How much will it cost you to go to court? You must pay a small filing fee. It will also cost you if you take time from work to go to court.

How much money does the defendant owe you? Is the sum big enough to be worth going to court? Is it small enough so you can sue in small claims court?

4. Can you "prove" your case?
☐ NO ☐ YES

Can you show that you are right? Do you have papers that you can show the judge? Don't go unless you think you have a chance of winning.

TEST YOURSELF

Circle T if a sentence is true. Circle F if a sentence is false.

1. It costs a lot to sue in small claims court. T F
2. Consumers with problems should go first to a small claims court. T F
3. You must sue in the small claims court nearest your home. T F

IT'S TIME TO SUE

You are at the office of the small claims court. You want to file suit. Here's your problem:

> Hometown Movers moved some furniture for you on March 15th. They dropped a clock when they were carrying it into your new house. It was a big old clock. It used to belong to your grandmother. Now the clock won't work. You are very angry. You like the clock a lot. A clock repairer says that it will cost $145 to fix the clock. The movers say that they will not pay to fix the clock. You think they should pay you $145.

The clerk gives you a form to fill out. Look at the form on the next page. Now you fill out the form:

1. Write your name.
2. Write your address.
3. Write the name of the company that you are suing: Hometown Movers, Inc. (This is the official name. You must write the official name of the person or company that you are suing.)
4. Print the address of the company: 512 Western Drive, your town, your state.
5. Tell how much money the company owes you.
5. Tell why Hometown Movers owes you the money. (Look at the top of this page. Pick out the important facts.)
7. Tell when the clock was broken.
8. Tell where the clock was broken (write your address).

When you file suit in small claims court, you will fill out a form like this. It may look different. Each court has its own forms. But the form will ask for the same facts. You can ask someone in Clerk of the Court's office to help you fill out the form.

Think about your trial

Which papers would help you when you go to court? Put a check mark (✓) beside each paper that you would show the judge.

____ A copy of your letter asking the movers to pay you $145 for repairs

____ The bill from the movers for moving your furniture

____ A picture of the clock that was broken

____ An ad about the moving company

____ An estimate from the clock repairer saying that it would cost $145 to fix your clock

____ A letter from the movers saying that they won't pay for fixing the clock

____ Your letter to a friend telling about the move

____ An ad about the clock repairer

PLAINTIFF'S STATEMENT TO CLERK

Case Number

IN THE SMALL CLAIMS COURT OF

_____ JUDICIAL DISTRICT

COUNTY OF _____, STATE OF _____

FILING FEE: $2.00

Please answer all the questions below and give to the clerk at the window. DO NOT MAIL.

PLEASE PRINT.

What is your name? _____

What is your address? _____

_____

What is the name of the person or persons (or company) you want to sue?

_____

_____

What is their address? _____

_____

How much do they owe you? (You cannot sue for more than $300 in this court).

$_____

What do they owe you money for? _____

_____

_____

_____

_____

_____

What date did this occur? _____

Where did this happen? _____

THIS FORM MUST BE PRESENTED TO CLERK TO FILE CLAIM

HOW ABOUT YOUR COURT?

Someday you might need to sue in small claims court. Find out about the court where you live. Here's how to do it.

1. Look in your telephone book. Look under the name of the city where you live. Or look under the name of your county. If "Small Claims Court" is listed, copy the phone number below. If it is not listed, call the number for "District Court" or "Civil Court." Ask for the name and number of the small claims court. In some states Justice of the Peace courts hear small claims cases. In some towns, the court has another name.

Name of court:

_____

Address of court nearest you:

_____

Phone number of court:

_____

2. Call or visit the court. Ask for answers to these questions:

How much money can you sue for? Up to $_____

How old do you have to be to file suit?

_____ years old

What is the filing fee? $_____

How long do you have to wait for a trial?

_____

What hours is court held? From _____ to _____

YOUR DAY IN COURT

Here are some tips. They will help you when you go to court.

— Get there early. Check to make sure that your case will be heard.

— Be organized. Bring with you any papers that you will show the judge.

— Tell your story clearly. Keep calm. Don't lose your cool.

— If you agree to settle "out of court," get the agreement down in writing.

— Remember, the judge may not make his decision right away. You may have to wait a few days.

Getting your money

If you win your case, the judge will say how much money the defendant owes you. If the defendant does not pay you, phone the clerk of the court. Tell the clerk your problem and ask what your next step should be. There are ways for the court to see that you get the money that is owed to you.

TEST YOURSELF

Circle T for each sentence that is true. Circle F for each sentence that is false.

1. If you get mad in court, you are sure to win your case. T F
2. Before you leave court, you will always know the judge's decision. T F
3. If you win, you will always get your money before you leave court. T F
4. If you settle "out of court," you should get the agreement in writing. T F

GETTING LEGAL AID

In small claims court you don't need a lawyer. But at some time you might need a lawyer. You might have a big problem.

It can cost a lot to hire a lawyer. But there are some programs that give free legal help. Is there a free legal aid service that you could use? Here's how to find out.

1. Use the white pages of your telephone book. Find the number of the county or city courthouse. (Look under the name of the county or city.)

   Phone number of courthouse: _____

2. Call and ask for the name, address and phone number of a group that gives free legal service.

   Name _____

   Address _____

   Phone number _____

3. Call the legal service group. Ask about their services.

   Who can get free legal help?

   _____

   _____

   What legal help does the group give? _____

   _____

   _____

   _____

   Could you get free legal aid? ☐ Yes ☐ No

Chapter 4

STOPPING PROBLEMS — BEFORE THEY START

In this workbook you have learned how to solve consumer problems. It is often hard to solve problems. It takes time and effort to solve consumer problems. Some problems can't be solved.

It is much better if you can avoid consumer problems. To **avoid** (ə VŎID) problems means to keep from having them. You can learn how to buy and use products wisely. You can learn how to protect yourself. Then you won't have so many problems. You can learn how to avoid problems.

Here are some stories about consumers like you. Read each story. Then put a check mark (✓) to show how each problem could be avoided.

1. Rita bought a new blouse at a small shop. Later she got a new blouse for her birthday. She had not worn the blouse that she bought. She took it back to the shop to return it. The store would not take the blouse back. The sales receipt showed that Rita bought the blouse two weeks before. There was a sign on the wall that said:

Return Policy
Returns must be made within 10 days of date of purchase.

Rita was unhappy. She had not noticed the sign. She didn't know that she couldn't return the blouse.

What is the best way to avoid a problem like this? (✓)

____ Don't try to return anything.

____ Know the policy of stores where you shop.

____ Don't buy anything for yourself near your birthday.

2. Manuel bought a sweater. He washed it at the laundromat. He didn't read the label that said "Dry clean only." Now the sweater is small enough to fit Manuel's dog. Manuel can't wear it any more.

What is the best way to avoid a problem like this? (✓)

____ A'ways read labels and do as they say.

____ Always have your clothes dry cleaned.

____ Don't wash your clothes at a laundromat.

3. Some workmen came to Ray's door. They asked if he needed his roof repaired. Ray hired them to repair his leaky roof. He paid them a lot of money. Later it rained. His roof still leaked badly. The repair service did not answer Ray's letters. He could not reach them by phone. Ray wasted the money he paid for repairs.

What is the best way to avoid a problem like this? (✓)

____ Hire a repair service that you know does good work.

____ Repair your roof yourself.

____ Move somewhere where it doesn't rain often.

4. Donna bought a new washing machine. She was very happy. But soon she was not happy. She has six kids. She bought a small washing machine. It can't wash many clothes at one time. She has to do many loads. If she had a bigger machine, she would not have to run the machine so often.

What is the best way to avoid a problem like this? (✓)

____ Have only two children.

____ Buy only a few clothes.

____ Decide what you need before buying something.

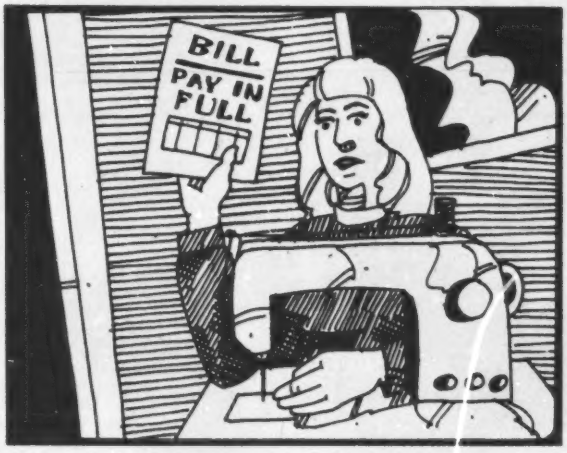
5. Ben left his television set at a repair shop. When he went to pick it up, the bill was $94. Ben did not want to pay that much. It was an old set. If he had known that the bill would be $94, he would not have had the TV fixed.

   What is the best way to avoid a problem like this? (✓)

   ____ Don't watch TV.

   ____ Always find out the cost before you have something repaired.

   ____ Don't have your TV repaired.



6. Joan signed an installment contract to buy a sewing machine. She put away her copy of the contract. She did not read it. One month she could not make her payment. The finance company told her she had to pay the rest of the money right away. Her contract said that she had to pay everything she owed if she missed a payment.

   What is the best way to avoid a problem like this? (✓)

   ____ Don't buy a sewing machine.

   ____ Keep contracts in a safe place.

   ____ Don't sign a contract unless you have read it and understood it.

7. Ida bought a used air conditioner. The store told her it was "guaranteed". After six weeks the air conditioner broke. Ida complained to the store. The store said the air conditioner was guaranteed for only 30 days. Ida would have to pay for repairs.

   What is the best way to avoid a problem like this? (✓)

   ____ Don't buy an air conditioner.

   ____ Don't complain to a store.

   ____ Before you buy, find out just what is guaranteed.

Can you think of other things that you could do to avoid consumer problems? List them here:

_____

_____

_____

Go back to the Introduction of this workbook. Read pages 4-6. Think about the kinds of consumer problems that you have had. Could these problems have been avoided — before they started?

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